

July 22, 2003

MEMORANDUM TO: Management Review Board Members:

Carl J. Paperiello, EDO  
Karen D. Cyr, OGC  
Margaret V. Federline, NMSS  
Paul H. Lohaus, STP

FROM: Osiris Siurano, Health Physicist */RA/*  
Office of State and Tribal Programs

SUBJECT: DRAFT MINUTES: JULY 14, 2003 NORTH DAKOTA  
MRB MEETING

Attached are the draft minutes of the Management Review Board (MRB) meeting held on July 14, 2003. We plan to finalize these minutes at the next MRB meeting. If you have comments or questions, please contact me at 415-2307.

Attachment:  
As stated

cc: Terry O'Clair, ND  
Roland Fletcher, MD

## Management Review Board Members

### Distribution:

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OFFICE	STP								
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## MINUTES MANAGEMENT REVIEW BOARD MEETING OF JULY 14, 2003

These minutes are presented in the same general order as the items were discussed in the meeting. The attendees were as follows:

Carl Paperiello, MRB Chair, OEDO  
Margaret Federline, MRB Member, NMSS  
Lance Rakovan, Team Leader, STP  
Josephine Piccone, STP  
Terry Brock, STP

Karen Cyr, MRB Member, OGC  
Paul Lohaus, MRB Member, STP  
Vivian Campbell, Team Member, RIV  
Osiris Siurano, STP

By teleconference:

Roland Fletcher, OAS Liaison, MD  
Terry O'Clair, NM  
Justin Griffin, ND

John Pelchat, Team Member, RII  
Ken Wangler, ND  
James Killingbeck, ND

1. **Convention.** Carl Paperiello, Chair of the Management Review Board (MRB) convened the meeting at 10:00 a.m. Introductions of the attendees were conducted.
2. **New Business. North Dakota Review Introduction.** Mr. Lance Rakovan, STP, led the Integrated Materials Performance Evaluation Program (IMPEP) team for the North Dakota review.

Mr. Rakovan summarized the review and noted the findings. Preliminary work included a review of North Dakota's response to the IMPEP questionnaire. The onsite review was conducted April 22-25, 2003. The on-site review included an entrance interview, detailed audits of a representative sample of completed licensing actions and inspections, and follow-up discussions with staff and management. Following the review, the team issued a draft report on May 23, 2003; received North Dakota's comment letter dated June 16, 2003 and submitted a proposed final report to the MRB on July 3, 2003. Mr. Rakovan noted that the five recommendations from the previous IMPEP review were all closed either during the 2000 follow-up review or this review.

**Common Performance Indicators.** Mr. Rakovan presented the findings regarding the common performance indicator, Technical Staffing and Training. His presentation corresponded to Section 3.1 of the proposed final report. The team found North Dakota's performance with respect to this indicator to be "satisfactory" and made no recommendations. The MRB agreed that North Dakota's performance met the standard for a "satisfactory" rating for this indicator.

Mr. Rakovan presented the findings regarding the common performance indicator, Status of Materials Inspection Program, which was reviewed on-site by Ms. Campbell. His presentation corresponded to Section 3.2 of the proposed final IMPEP report. The review team found North Dakota's performance with respect to this indicator to be "satisfactory" and made no recommendations. The MRB agreed that North Dakota's performance met the standard for a "satisfactory" rating for this indicator.

Mr. Rakovan presented the common performance indicator Technical Quality of Inspections, reviewed by Mr. Pelchat. His presentation corresponded to Section 3.3 of

the proposed final IMPEP report. The team found that North Dakota's performance was "satisfactory" for this indicator and made no recommendations. The MRB agreed that North Dakota's performance met the standard for a "satisfactory" rating for this indicator.

Mr. Rakovan presented the findings regarding the common performance indicator, Technical Quality of Licensing Actions, reviewed by Ms. Campbell. His presentation corresponded to Section 3.4 of the proposed final IMPEP report. The team found North Dakota's performance with respect to this indicator to be "satisfactory" and made no recommendations. The MRB agreed that North Dakota's performance met the standard for a "satisfactory" rating for this indicator.

Mr. Rakovan also presented the findings regarding the final common performance indicator, Response to Incidents and Allegations, reviewed by Ms. Bradley. His presentation corresponded to Section 3.5 of the proposed final IMPEP report. The team found North Dakota's performance with respect to this indicator to be "satisfactory" and made no recommendations. The review team recommended that North Dakota's use of a list of trained personnel in the State who would be willing to respond to a radiation incident and provide initial assessment of the incident or assist during the incident until State radiological emergency response personnel can arrive be found a good practice. The MRB, the State, and the review team discussed the good practice, including liability concerns. The MRB agreed that North Dakota's performance met the standard for a "satisfactory" rating for this indicator and supported the review team's good practice.

**Non-Common Performance Indicators.** Mr. Rakovan led the discussion of the non-common performance indicator, Legislation and Program Elements Required for Compatibility. His discussion corresponds to Section 4.1 of the proposed final IMPEP report. The team found North Dakota's performance to be "satisfactory" for this indicator and made no recommendations. The MRB and the review team discussed the regulations the State needs to adopt in the future. The MRB agreed that North Dakota's performance met the standard for a "satisfactory" rating for this indicator.

**MRB Consultation/ Comments on Issuance of Report.** Mr. Rakovan concluded, based on the discussion and direction of the MRB, that North Dakota's Program was rated "satisfactory" for all performance indicators. The MRB found the North Dakota Radiation Control Program adequate to protect public health and safety and compatible with NRC's program. The IMPEP team recommended that the next IMPEP review be conducted in four years and the MRB agreed.

**Comments.** Mr. Wangler highlighted the evolution of the IMPEP Program and how North Dakota and other States have benefitted from the process. He thanked the IMPEP team for their work and North Dakota staff for their performance. The MRB thanked the IMPEP review team and North Dakota for their efforts.

3. **Precedents/Lessons Learned.** No precedents that will be applied to the IMPEP process in the future were established by the MRB during this review.
4. **Good Practices.** The review team noted that North Dakota's procedures included a list of trained personnel in the State who would be willing to respond to a radiation incident,

such as a transportation incident, and provide initial assessment of the incident or assist during the incident until State radiological emergency response personnel can arrive. The list includes the names of volunteers, their location within the State, the types of equipment they have available, and contact telephone numbers. The review team recommended and the MRB agreed that the use of such a cadre of responders is a good practice.

5. **Adjournment.** The meeting was adjourned at approximately 10:36 a.m.